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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,151	07/16/2003	Sathyanarayanan N. Kavacheri	SUN-P030092	1922
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OSHA LIANG L.L.P./SUN 1221 MCKINNEY, SUITE 2800 HOUSTON, TX 77010			EXAMINER PYO, MONICA M	
			ART UNIT	PAPER NUMBER
			2161	
DATE MAILED: 01/03/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/622,151	KAVACHERI ET AL.	
	Examiner	Art Unit	
	Monica M. Pyo	2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7/04 & 7/05</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-23 are present for examination.
2. Claims 1-23 are rejected.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 7/22/2004 and 7/22/2005 was filed. Accordingly, the information disclosure statement is being considered by the examiner.

Specification

4. The disclosure is objected to because of the following informalities:
 - Serial numbers in Specification pg. 1 are missing and should be updated.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-7 and 15-23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding Claim 1, the phrase “if” conditions render the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d). Claims 2-7 are also rejected by virtue of their dependency to Claim 1.

Regarding Claim 15, the phrase “or” and the phrase “if” conditions render the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the

claimed invention. See MPEP § 2173.05(d). Claims 16-23 are also rejected by virtue of their dependency to Claim 15.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-2, 4-6, 15-16, and 18-20 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,654,814 issued to Britton et al. (hereafter Britton).

Claim 1:

Regarding Claim 1, Britton discloses a method of retrieving a device-dependent attribute stored on a portal server, said method comprising:

- establishing communication with a device (col. 7, lns. 48-56; fig. 1);
- identifying a type of said device (col. 7, lns. 56-65);
- identifying a characteristic of said type of device, wherein said type is a subset of said characteristic (col. 1, lns. 45-65; col. 7, lns. 56-65); and
- retrieving an entry from a list of attributes, said entry selected first according to said type of device and second according to said characteristic if said list does not include an entry that corresponds to said type of device (col. 1, lns. 45-65; col. 9, lns. 14-46 – Britton discloses a rule and a policy which corresponds to “a list of attributes”).

Claims 2 and 16:

Regarding Claim 2, Britton discloses all the limitation of Claim 1, *supra*. Additionally, Britton discloses: wherein said communication is wireless (col. 2, lns. 47-63; col. 8, lns. 26-38; col. 10, lns. 14-20). Claim 16 is rejected based upon the same reasoning as Claim 2.

Claims 4 and 18:

Regarding Claim 4, Britton discloses all the limitation of Claim 1, *supra*. Additionally, Britton discloses: wherein said characteristic is identifiable by a type of markup language used by said type of device (col. 1, lns. 45-65; col. 9, lns. 66-67; col. 10, lns. 1-23 – Britton discloses a voice markup language which corresponds to “type of markup language”). Claim 18 is rejected based upon the same reasoning as Claim 4.

Claim 15:

Regarding Claim 15, Britton discloses a computer-usable medium having computer-readable program code embodied therein for causing a portal server system to perform a method comprising:

- communicating with a device (col. 7, lns. 48-56; fig. 1);
- identifying from said communicating a type of device for which a first attribute is to be stored, wherein said first attribute is dependent on said type of device (col. 11, lns. 38- 61; fig. 4);
- associating said type of device with said first attribute when said first attribute is selected and stored in a list of attributes (col. 11, lns. 46-61); and
- retrieving a second attribute from said list according to said type of device or according to a characteristic of said type of device if said list does not include an

attribute that corresponds to said type of device, wherein said type is a subset of said characteristic (col. 1, lns. 45-65; col. 9, lns. 14-46).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 5-6 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Britton as applied to claims 1-2, 4, 15-16, and 18 above, and further in view of U.S. Patent Application Publication No. 2002/0128908 by Levin et al. (hereafter Levin).

Claims 5 and 19:

Regarding Claim 5, Britton discloses all the limitation of Claim 1, *supra*. Additionally, Britton discloses: wherein said list of attributes (Britton: col. 9, lns. 29-46).

However, Britton does not disclose: sorted by device type.

On the other hand, Levin discloses: is sorted by device type (Levin: pg. 7, [0100]; fig. 6).

It would have been obvious to a person having ordinary skill in the art to combine sorting by device type of Levin into the web content tailoring system of Britton to utilize sorting of list by device type. Skilled artisan would have been motivated to incorporate the Levin's teaching of sorting the list by device type in the Britton's web content tailoring system to better tailoring the display as suggested by Levin, which discloses "User-provided demographic, location, user preferences, device permissions settings and other user profile information enables creators of promotional campaigns to precisely direct those campaigns to receptive audiences" (Levin: see Abstract). Claim 19 is rejected based upon the same reasoning as Claim 5.

Claim 6 and 20:

Regarding Claim 6, Britton discloses all the limitation of Claim 1, *supra*. Additionally, Britton in view of Levin disclose: wherein said list of attributes is sorted by device characteristic (Britton: col. 1, lns. 45-65; col. 9, lns. 29-46) and (Levin: pg. 7, [0100]; fig. 6). Claim 20 is rejected based upon the same reasoning as Claim 20.

8. Claims 3, 7-14, 17 and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Britton as applied to claims 1-2, 4, 15-16, and 18 above, and further in view of U.S. Patent No. 6,901,429 issued to Dowling et al. (hereafter Dowling).

Claims 3 and 17:

Regarding Claim 3, Britton discloses all the limitation of Claim 1, *supra*. However, Britton does not disclose: wherein said type of device is identifiable by a brand name and a model number.

On the other hand, Dowling discloses: wherein said type of device is identifiable by a brand name and a model number (Dowling: col. 28, lns. 11-20).

It would have been obvious to a person with ordinary skill in the art at the time of invention to combine this identifying mobile configuration of Dowling into the web content tailoring system of Britton to utilize identifying mobile manufacture “brand name” and the model number. Skilled artisan would have been motivated to incorporate the Dowling’s teaching of identifying mobile configuration information in the Britton’s web content tailoring system to better tailoring the display as suggested by Dowling, which discloses “As such, various dialects of XML have been developed to allow content to be customized for interactive display on specific types of smart phones and other mobile devices” (Dowling: col. 2, lns. 15-26). Claim 17 is rejected based upon the same reasoning as Claim 3.

Claim 7 and 21:

Regarding Claim 7, Britton discloses all the limitation of Claim 1, *supra*. Additionally, Britton in view of Dowling disclose: wherein said list of attributes further comprises entries that are independent of device type and device characteristic (Britton: col. 9, lns. 29-46) and (Dowling: col. 3, lns. 1-18; col. 8, lns. 39-62 – Dowling discloses the use of emailing system). Claim 21 is rejected based upon the same reasoning as Claim 7.

Claim 8:

Regarding Claim 8, Britton discloses a method of storing device-dependent attributes in a server, said method comprising:

- receiving information that identifies a type of device for which an attribute is to be stored, wherein said attribute is dependent on said type of device (Britton: col. 11, lns. 38- 61; fig. 4);
- selecting said attribute according to said type of device (Britton: col. 11, lns. 46- 61; fig. 4)
- entering said attribute into a list of attributes, wherein said list is organized into type-specific categories, wherein said attribute is entered into a category specific to said type of device provided said category exists (Britton: col. 4, lns. 33-39; col. 12, lns. 5-24; fig. 4); and
- creating a new category for said attribute provided said category specific to said type of device does not already exist (Britton: col. 4, lns. 33-39; col. 8, lns. 25-33, 43-62; figs. 4 & 5).

However, Britton is silent with respect to use of portal server.

On the other hand, Dowling discloses: portal server (Dowling: col. 8, lns. 39-62).

It would have been obvious to a person with ordinary skill in the art at the time of invention to combine this identifying mobile configuration of Dowling into the web content tailoring system of Britton to utilize the portal server. The term <portal> is defined in the *Microsoft Computer Dictionary* as “a collection of links, contents, and services designed to guide users to information they likely to find interesting”. The AOL is a known to be a <portal> example. Therefore, skilled artisan would have been motivated to incorporate the Dowling’s teaching of utilizing the portal server in the Britton’s web content tailoring system to allow users to have access to an AOL portal as suggested by Dowling, which discloses “As such, various

dialects of XML have been developed to allow content to be customized for interactive display on specific types of smart phones and other mobile devices“ (Dowling: col. 2, Ins. 15-26).

Claim 9:

Regarding Claim 9, Britton in view of Dowling disclose all the limitation of Claim 8, *supra*. Additionally, Britton discloses: further comprising establishing a connection with a first device, wherein said attribute is entered into a type-specific category corresponding to a type of said first device (Britton: col. 3, Ins. 29-46; col. 4, Ins. 8-20).

Claim 10:

Regarding Claim 10, Britton in view of Dowling disclose all the limitation of Claim 8, *supra*. Additionally, Britton discloses: further comprising:

- establishing a connection with a first device (Britton: col. 3, Ins. 29-46); and
- receiving information from said first device identifying a second device, wherein said attribute is entered into a type-specific category corresponding to a type of said second device (Britton: col. 4, Ins. 21-36; 66-67; col. 5, Ins. 1-21 – Britton discloses a desktop workstation and a PDA which correspond to <a type-specific category>).

Claim 11:

Regarding Claim 11, Britton in view of Dowling disclose all the limitation of Claim 8, *supra*. Additionally, Dowling discloses: wherein said portal server is a wireless portal server operable to communicate wirelessly with client devices (Dowling: col. 4, Ins. 48-67; col. 5, Ins. 1-7; col. 20, Ins. 46-58).

Claim 12:

Regarding Claim 12, Britton in view of Dowling disclose all the limitation of Claim 8, *supra*. Additionally, Dowling discloses: wherein said type of device is identifiable by a brand name and a model number (Dowling: col. 28, lns. 11-20).

Claim 13:

Regarding Claim 13, Britton in view of Dowling disclose all the limitation of Claim 8, *supra*. Additionally, Britton discloses: wherein said characteristic is identifiable by a type of markup language used by said type of device (Britton: col. 9, lns. 66-67; col. 10, lns. 1-14).

Claim 14:

Regarding Claim 14, Britton in view of Dowling disclose all the limitation of Claim 8, *supra*. Additionally, Britton in view Dowling disclose: wherein said list of attributes further comprises a category for attributes that are independent of device type (Britton: col. 4, lns. 33-39; col. 9, lns. 29-46) and (Dowling: col. 3, lns. 1-18; col. 8, lns. 39-62).

Claim 22:

Regarding Claim 22, Britton discloses all the limitation of Claim 15, *supra*. Additionally, Britton in view of Dowling disclose: wherein said first attribute corresponds to said device communicating with said portal server system (Britton: col. 9, lns. 29-46) and (Dowling: col. 8, lns. 39-62; col. 20, lns. 46-58 – Dowling discloses the use of AOL as an example of mailing service).

Claim 23:

Regarding Claim 23, Britton discloses all the limitation of Claim 15, *supra*. Additionally, Britton in view of Dowling disclose: wherein said first attribute (Britton: col. 9, lns. 29-46) corresponds to another device different from said device communicating with said

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portal server system, said other device identified during said communicating (Britton: col. 4, lns. 21-39) and (Dowling: col. 8, lns. 39-62).

Conclusion

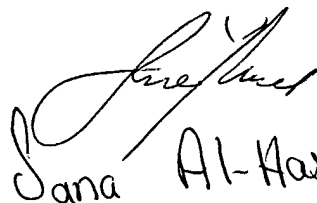
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monica M. Pyo whose telephone number is 571-272-8192. The examiner can normally be reached on Mon-Fri 6:30 - 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Monica M Pyo
Examiner
Art Unit 2161

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12/27/05


Sana Al-Hashevi